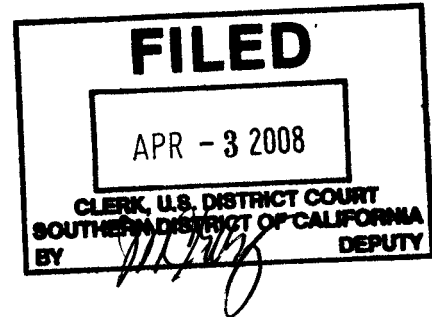


Noreen Rucinski

Dir. Strategic Business Development
Schneider Rucinski Enterprises
3344 N Mt. View Dr
San Diego CA 92116
619-282-7977
Plaintiff in Pro Per
Appearing *pro se*

NUNC PRO TUNC

MAR 28 2008



UNITED STATES DISTRICT COURT

IN AND FOR THE SOUTHERN DISTRICT OF CALIFORNIA

SCHNEIDER RUCINSKI ENTERPRISES,)
Plaintiff,)

vs.)

TOUCH ASIA OUTSOURCING)
SOLUTIONS, INC., dba TOUCH ASIA)
CALL CENTER, INC.; RUDY NGAW;)
STRATASOFT, INC. PACIFIC CALL)
CENTERES; LANE MCCARTY)
individually and as an employee and/or)
agent of STRATASOFT, INC.; JASON)
PACE individually and as an employee)
and/or agent of STRATASOFT, INC.;)
MIKE BRIDGES individually and as an)
employee and/or agent of STRATASOFT,)
INC.; MICHEL BRIDGES, JR.,)
individually and as an employee and/or)
agent of STRATASOFT, INC.; INX, INC.,)
a Texas Corporation formerly known as I-)
SECTOR CORPORATION; COLO 6 LLC,)
a California Corporation, and NAVROZ)
HAJI, an individual, and DOES 1 through)
20, inclusive,)

Defendants.)

Case No.: 08 CV 0138 WQH POR

Date: April
Time: 11:00 a.m.

Judge: Hon. William Q Hayes

**PLAINTIFF'S REQUEST FOR EX PARTE
APPLICATION FOR HEARING
MEMORANDUM IN OPPOSITION TO
DEFENDANT'S MOTION TO DISMISS**

**PLAINTIFF'S REQUEST FOR EX PARTE
APPLICATION FOR HEARING
MEMORANDUM IN OPPOSITION TO DEFENDANT'S MOTION TO DISMISS**

SCHNEIDER RUCINSKI ENTERPRISES ("SRE") respectfully submits this
Exparte request to be heard for oral arguments to Memorandum in Opposition to
Defendant's Motion to Dismiss.

SRE made calls with the clerk's office and Judge Hays clerk Robert on

February 26 2008, upon receipt of the Motion to Dismiss from the defendants INX. This call was solely Regarding Verbiage on motions "NO ORAL ARUMENTS" the MOTION FOR DISMISSAL. I requested to be allowed and heard for the oral arguments as stated on my returned opposition. I informed both clerks the I was requesting oral arguments for the Calendared dated and time allocated : March 24, 2008 at 11 am.

Where as these rules and procedures are new to me, I reviewed local procedures and did as it states.

Civil rule 7.1 (c. If either party indicates a willingness to submit a motion for decision without oral argument, the adverse party shall promptly, but in any case not later than four (4) calendar days before the hearing date, notify the law clerk of the assigned judge, by telephone, whether or not there is concurrence in having the motion decided without oral argument. If so, the matter may be removed from the motion hearing calendar, at the court's discretion, and the parties shall be so notified. If the adverse party does not concur in submission of the motion without oral argument, the matter may remain on the calendar, for such argument, if any, as the court may deem appropriate under the circumstances)

I have highlighted the applicable area, where it instructs me, "as the adverse party, if I don't concur (agree) in the submission of the motion without an oral argument, the matter may remain on the calendar". As pro se', I am reading the codes and think I have an understanding. I believe based on the discussions, that I was clear with all people I had contacted, using the only path available to me, the clerk's offices. ***"I requested an oral argument"*** "Unless the court requests it is" "without oral argument", setting with the chambers, clerk a time and date to hear, this Motion for Dismissal. I notified the courts, that my request, verbally, on Feb 26, again 10 days later for follow up, as allowed by this local Civil Rule 7.1 should be allowed, I am unsure, why it was taken off calendar, nor was I told my request was not going to happen. I was notified after I had left for the court time and while I was there. I respectfully request a redate set to hear Oppositions for the Motion to Dismiss.

DATED this 28 th day of March 2008 .

By: 

Noreen Rucinski

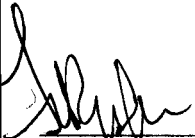
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of March 2008, I caused to be mailed a true

1 and correct copy of the foregoing to the following by the method described below and am
2 over the age of 18.:

3
4 *By Mail Delivery:*

5
6
7 *BY U.S. Mail, postage prepaid:*

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14 Fred Rucinski

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